

**MIKE WINSOR**  
Office of the Commissioner of  
Securities and Insurance  
840 Helena Avenue  
Helena, MT 59601  
(406) 444-2040

Attorney for the Department of Insurance

**BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE  
OFFICE OF THE STATE AUDITOR  
STATE OF MONTANA**

IN THE MATTER OF:

)  
) Case No. INS 2007-79  
)

NATIONAL ALLIANCE OF ASSOCIATIONS,  
a.k.a. NATIONAL TRADE BUSINESS  
ASSOCIATION, a.k.a. NATIONAL  
TRANSPORTATION BENEFITS ALLIANCE  
ASSOCIATION, a.k.a. NATIONAL TRADE  
BUSINESS ALLIANCE OF AMERICA, a.k.a.  
ALLIANCE ASSOCIATION HEALTH, a.k.a.  
QUALIFIED ADMINISTRATIVE SPECIALISTS  
OF AMERICA, a.k.a. AMERICAN EMPLOYERS  
ASSOCIATION, a.k.a. NATIONAL ALLIANCE  
HEALTHCARE, a.k.a. HEALTHCARE ALLIANCE,  
a.k.a. ASSOCIATION HEALTH CARE  
MANAGEMENT INC., a.k.a. AFFINITY HEALTH  
PLANS OF AMERICA, a.k.a. ALLIANCE  
HEALTH, a.k.a. AFFINITY HEALTH, a.k.a.  
AFFINITY ASSOCIATION GROUP, a.k.a.  
NATIONAL ASSOCIATION OF PRIVATE  
ENTERPRISE, a.k.a. ALLIANCE ASSOCIATION  
HEALTH, a.k.a. NATIONAL ALLIANCE OF  
ENTREPRENEURS;

)  
) **CONSENT AGREEMENT AND**  
) **FINAL ORDER FOR JAMES**  
) **DOYLE AND THOMAS J.**  
) **SULLIVAN**  
)

PROFESSIONAL BENEFITS CONSULTANTS OF  
DELAWARE, a.k.a. PROFESSIONAL BENEFITS  
CONSULTANTS INC., a.k.a. PBC DIRECT, a.k.a.  
PERSONAL BENEFITS CONSULTANTS INC.;

THOMAS J. SULLIVAN; JAMES DOYLE;  
CHRISTOPHER ASHIOTES; ROBERT FORTIER;  
MICHAEL B. ROBERTS; and DAWN MAAHS;  
individually and/or in their capacities as officers,

directors or agents of the above-named entities; )  
 ACCESS ONE CONSUMER HEALTH INC., )  
 CAREY DANIEL ADAMS; and JULIAN STUART )  
 CRAWFORD; individually and/or in their capacities )  
 as officers, directors or agents of the immediately )  
 foregoing entities; )  
 )  
 SEBRITE AGENCY INC.; MINNESOTA E-BIZ; )  
 DIRECT SERVICES ASSOCIATION; DP HEALTH )  
 MANAGEMENT SERVICES LLC; WORLDWIDE )  
 INSURANCE AND REINSURANCE SERVICES )  
 INC.; PRO-TEC ADMINISTRATORS/ )  
 ENHANCEMENT SERVICES INC.; CONSUMER )  
 ALLIANCE USA, a.k.a CAUSA; PROFESSIONAL )  
 RISK AND ASSET MANAGEMENT INSURANCE )  
 SERVICES INC.; SMART DATA SOLUTIONS )  
 LLC; AFFINITY GROUP BENEFITS )  
 ASSOCIATION INC.; )  
 )  
 RICHARD RANDALL, JR.; TONY DENNIS; )  
 CODY KOTKE; RANDY TROLLOP; CHRIS )  
 NOVINGER; JOHN VANHARA; YAMIL D. )  
 EMEDAN; CHRISTOPHER HUMMER; CARMEN )  
 JOY; AL KLINE; DEREK A. SEIWERT; JERRY )  
 SARVADI, a.k.a GERALD SARVADI; MARK )  
 KUHLS; SCOTT INTRAVIA; CAMERON )  
 STRONG; MICHAEL SACKETT and DAVID P. )  
 WILSON; BART POSEY; RICHARD BACHMAN; )  
 OBED KIRKPATRICK; EARNEST BEALL, )  
 individually and/or in their capacities as officers, )  
 directors or agents of the immediately foregoing )  
 entities; )  
 )  
 CONSOLIDATED WORKERS ASSOCIATION )  
 INC.; CLAIMS AND BENEFIT MANAGEMENT )  
 INC., a.k.a CLAIMS MANAGEMENT SERVICE, )  
 a.k.a CBM ADMINISTRATORS, a.k.a. CBMC; )  
 )  
 HEALTHCARE RECOVERY SYSTEMS, INC.; )  
 INTEGRATED HEALTH BENEFITS; NATIONAL )  
 ALLIANCE OF BENEFIT SERVICES )  
 ASSOCIATION; WALTER CECCHINI; BRAD )  
 WESSLER; individually and/or in their capacities as )  
 officers, directors or agents of the immediately )  
 foregoing entities; )  
 )

---

	)
PAYLOGIX, LLC; RICHARD PFADENHAUER,	)
and LEE DELORENZO, individually and/or in their	)
capacities as officers, directors or agents of	)
PAYLOGIX;	)
	)
Respondents.	)
	)
	)

---

This Consent Agreement and Final Order is entered into by the Montana Insurance Department (“Department”), acting pursuant to the authority of Mont. Code Ann. § 2-4-603 and the Montana Insurance Code, Mont. Code Ann. § 33-1-101, *et. seq.* (“the Code”), James Doyle and Thomas J. Sullivan (referred to collectively herein as the “Respondents”).

### **RECITALS**

WHEREAS, the Department, having conducted an investigation, determined that the Respondents engaged in conduct that violated the Code as set forth more fully in the Notice of Proposed Agency Disciplinary Action and Opportunity for Hearing, which is incorporated herein by reference; and

WHEREAS, the Department and the Respondents agree that the parties’ interests would best be served by entering into this agreement.

NOW, THEREFORE, in consideration of the mutual undertakings established herein, the Department and the Respondents agree to settle this matter pursuant to the following terms and conditions:

### **STIPULATIONS AND CONSENTS**

Without admitting or denying any of the Department’s allegations, Respondents stipulate and agree to the following:

1. Imposition of an administrative penalty upon the Respondent James Doyle in the amount of \$2,500 and imposition of an administrative penalty upon the Respondent Thomas J. Sullivan in the amount of \$2,500.

2. Respondents shall pay the administrative penalty in installments. Installments must be at least \$50 per month. Installments must be paid on or before the 15<sup>th</sup> day of each month beginning June 15, 2011, and continuing thereafter until the Department is paid in full. Respondents may make payments in amounts greater than \$50 per month.

3. Checks must be payable to the Montana State Auditor's Office and sent to the Commissioner of Securities and Insurance, Office of the Montana State Auditor, c/o Mike Winsor, 840 Helena Avenue, Helena, MT 59601.

4. The Respondents acknowledge the Commissioner of Securities and Insurance ("CSI") and the Department have jurisdiction over the subject matter of the above-entitled proceeding.

5. The Respondents acknowledge that they have read and understand each term of this Consent Agreement and enter into this Consent Agreement voluntarily and without reservation.

6. The Respondents stipulate and agree with the Department that this Consent Agreement resolves this matter.

7. The Respondents and the Department hereby acknowledge and agree that this Consent Agreement constitutes the entire agreement between the parties and that no other promises or agreements, either express or implied, have been made by the Department or by any member, officer, agent, or representative of the Department to induce the Respondents to enter into this Consent Agreement.

8. The Respondents specifically and affirmatively waive a contested case hearing, and their right to appeal; and elect to resolve this matter on the terms and conditions set forth herein.

9. The Respondents fully and forever release and discharge the CSI, Department, and all Department employees and agents from any and all actions, claims, causes of action, demands, or expenses for damages or injuries, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of this administrative action.

10. The parties acknowledge and agree that this Consent Agreement may not be modified orally, and any subsequent modifications to this Consent Agreement must be mutually agreed upon in writing to be effective.

11. The Department and the Respondents agree that this Consent Agreement shall be incorporated into and made a part of the attached Final Order issued by the Commissioner herein.

12. The Respondents further understand that, upon the signing of the Final Order by the Commissioner or her representative, this Consent Agreement and Final Order will be an order of the CSI and failure to comply with it may constitute a separate violation of the Montana Insurance Code, as provided in Mont. Code Ann. § 33-1-318, and may result in subsequent legal action by the Department.

13. Upon execution of this Consent Agreement, the Department will fully and forever release and discharge the Respondents from any and all actions, claims, causes of action, demands, or expenses for damages or injuries, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of this administrative action and will not

commence any further administrative, civil, or other legal action based upon the regulatory non-compliance referenced hereinabove.

14. This Consent Agreement shall be effective upon signing of the Final Order.

15. The Respondents acknowledge that this Consent Agreement and Final Order are public records under Montana law and as such may not be sealed or otherwise withheld from the public.


DATED this 18 day of April, 2011.



**MIKE WINSOR**

Attorney for the Department of Insurance

DATED this \_\_\_\_ day of \_\_\_\_\_, 2011.

  
JAMES DOYLE

STATE OF MONTANA )  
 :ss.  
 County of: \_\_\_\_\_)

SUBSCRIBED and SWORN to before me by \_\_\_\_\_, this  
\_\_\_\_ day of \_\_\_\_\_, 2011.

Adam Brent  
Printed Name Adam Brent  
Notary Public for the state of NJ, PA  
Residing at 2557 Delsea Dr, Franklinville, NJ  
My Commission Expires 08322  
Attorney at Law since 2002

DATED this 9<sup>th</sup> day of March, 2011.

Thomas J. Sullivan  
THOMAS J. SULLIVAN

STATE OF MONTANA )  
 )  
 ) :SS.  
 County of: \_\_\_\_\_)

SUBSCRIBED and SWORN to before me by \_\_\_\_\_, this  
31<sup>st</sup> day of March, 2011.

Adam Brent Esq

---

Printed Name Adam Brent Esq

Notary Public for the state of NJ and PA

Residing at 2557 Delsea Drive, Franklinville NJ

My Commission Expires 08322

Attorney at Law since 2002.

**FINAL ORDER**

Pursuant to the authority vested by Mont. Code Ann. § 2-4-603, and the Montana Insurance Code, Mont. Code Ann. § 33-1-101, *et seq.*, and upon review of the foregoing Consent Agreement and good cause appearing,

IT IS ORDERED that the foregoing Consent Agreement between the Department and the Respondents is hereby adopted as if set forth fully herein.

DATED this 18<sup>th</sup> day of April, 2011.

**MONICA J. LINDEEN**

Commissioner of Securities and Insurance

By: \_\_\_\_\_



**ROBERT W. MOON**

Deputy Commissioner of Insurance